



Howard County Maryland
Department of Planning and Zoning
3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:

Case No AA-21012
Date Filed 12/17/21

Administrative Adjustment to the Bulk Regulations

Bulk Regulation Adjustment Request

Amount requested: 5 feet for front setback and 4 feet for rear setback

Height, Setback, Etc: Front setback, rear setback

Zoning Regulation Section: Front setback: 108.0.D.4.b.(1)(a)(ii) Rear setback: 108.0.D.4.c(1)(c)(i)

Reason for Request: Attached double garage with breezeway. Need variance to safely and properly place garage on odd shaped lot.

We have a significant slope which make pushing the garage too far back would make for a difficult and unsafe driveway and then would infringe on the back and side setbacks. Garage would not fit on the other side of house. We would be consistent and within the norm to the other houses in our

Percent adjustment of the bulk requirement: (May not exceed 20%) 10% for front setback and 13.3% for rear setback

Petitioner Information

Petitioner's Name: Eleanora and Daniel Wickenheiser

Address 5816 Forest Hill Road, Elkridge, MD 21075

Phone No. (W) 410-313-1130

(H) 443-253-6739

Email Address: dan.elly@verizon.net

Counsel for Petitioner: NA

Counsel's Phone No. NA

Email Address: NA

Property

Address of Subject Property: 5816 Forest Hill Road, Elkridge, MD 21075

Total Acreage of Property: .385

Election District: 1

Zoning District: R-20

Tax Map # 37 Grid 0006

Parcel 0424

Lot 41

Subdivision Name and File # (if applicable) 1002

Site Development Plan File # SDP- NA

Petitioner's Interest in Subject Property:



Owner (including joint ownership)



Owner's Authorization attached (If petitioner is not the owner)

REVISED



A supplement must be attached which addresses each of the following criteria:

- That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties and unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.
- The administrative adjustment, if granted, will not alter the essential character of the neighborhood or district in which the subject property is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.
- That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.
- That within the intent and purpose of these regulations, the administrative adjustment, if granted, is the minimum necessary to afford relief.

Administrative Adjustment Plan

- All plans must be folded to approximately 8 ½ x 14 inches. The plan must be drawn to scale and must include the items listed below:
 - ☒ Courses and distances of property lines
 - ☒ Size of property
 - ☒ North arrow
 - ☒ Scale of plan
 - ☒ Zoning of subject property and adjoining property
 - ☒ Tax map, parcel and lot number of subject property
 - ☒ Required setback or other bulk requirement, and the requested adjustment from the setback or other requirement
 - ☒ Existing and proposed uses, structures, natural features, landscaping, parking spaces, driveways, and points of access on the subject property
 - ☐ Location of well and private sewerage easement, if applicable
 - ☒ Floor area and height of structures, setback distances, and other numerical values necessary for examination of the petition
 - ☒ Any other information as may be necessary for full and proper consideration of the petition

Materials, Fees, Posting and Advertising

- **The original plus two (2) copies of this petition**, all supplemental pages or reports, and the required plans must be submitted.
- The undersigned agrees to pay all costs in accordance with the current schedule of fees. The fee is **\$300.00 plus \$25.00** for a poster. The undersigned also agrees to properly post the property at least 15 days immediately prior to the hearing, to maintain the posters as required, and to submit an affidavit of posting at the time of the hearing.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

Signature of Petitioner

Signature of Attorney

 Signature of Petitioner: E. Diana Wetherhiser
 Signature of Attorney: _____

For DPZ office use only:

(Make checks payable to the "Director of Finance")

County Website: www.howardcountymd.gov

Hearing fee: \$

Poster fee: \$

Total: \$

Receipt No.

County Website: www.howardcountymd.gov

NOTE: No appointment is needed to submit this application and payment of fees is not due until a hearing date is set and you are notified.

Supplement in support of request for variance for 5816 Forest Hill Road, Elkridge MD 21075

This supplement is in support of our request for a variance to the front and rear yard setback requirement to build a 2- car garage. We are requesting a variance to safely and properly place the garage on an odd shaped lot. The lot is a pie shape, with only 3 sides. One side is designated as the front, another is the side and the third is the rear. It is important to note the lot becomes gradually narrower as one moves from the front to the back, leaving less width as the structure is moved back. In addition to the awkward lot shape, we have a significant slope which means pushing the garage too far back, results in a difficult and unsafe driveway and would then infringe even more on the back and side setbacks. The other side of the house has less area and would require a greater variance. As such based on the current code, the front setback being 50 feet and the setback for the rear being 30 feet, we have chosen the location that would place our proposed garage with the least amount of intrusion and still not too far back to make it unsafe and remain a practical garage.

Due to the slope of the yard we are taking advantage and will utilize a designated storage area option under the garage made available due to the slope of the yard. This would then negate the need to build an unsightly shed for storage of equipment and tools normally housed in a garage.

The administrative adjustment, if granted, will not alter the essential character of the neighborhood or district. We would be consistent and within the norm with many of the complying and non-complying houses in our neighborhood who have 50 foot or less setbacks. A drive through our neighborhood will show several houses who have a front set back of 40 feet. Since we have a wide front and the neighbor across the street does have access to our road, we have plenty of space. Therefore, the structure will not impair the appropriate use or development of any adjacent properties and will not be detrimental to the public welfare. The proposed style and structure of the garage is in line with the existing neighborhood and will be an aesthetically pleasing addition to our house as well as an improvement to the neighborhood and result in an overall increase in property value and tax base created by improvement. The garage would benefit not just us but the neighborhood by allowing us to park off the street. In speaking with several of our neighbors they are in support and do not have any disagreement with the proposed garage and have wondered with such a wide lot why we do not already have a garage.

The practical difficulties or hardships have not been created by us, the owners. The lot has inherent difficulties i.e. shape, house orientation and lot shape, that must be worked around in order to have a safe, practical, usable and pleasantly appealing resolution. Such variances are necessary for the preservation and enjoyment of substantial property possessed by other properties in the same zoning district and in the same vicinity.

We have taken in to consideration extensively the intent and purpose of these regulations when considering where to place the proposed s. We have pushed the front of the proposed garage to half way back of the depth of the house so as to only request the minimum necessary to fit our garage. The amount we are requesting only applies to the front corner of the structure and the back corner. It will not be the entire length or width. The garage cannot be located on the other side of the house due to inadequate space and would require more than 20% variance as the house is not centered on the lot. Therefore, placing the garage on the east side allows for more area for a garage and if granted, is the minimum necessary to afford relief.

Thank you for your consideration. Respectfully submitted,

Eleanora and Daniel Wickenheiser